

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JOSE MONSERRATO MARTINEZ, JR.

Civil No. 18-1260 (JRT/ECW)

Petitioner,

v.

ORDER

WARDEN DAVID PAUL,

Respondent.

Jose Monserrato Martinez, Jr., Reg No. 13080-030, FMC Rochester, PMB 4000, 2110 Center Street East, Rochester, MN 55903-4000, for petitioner.

Bahram Samie, Assistant United States Attorney, **UNITED STATES ATTORNEY'S OFFICE**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Elizabeth Cowan Wright dated March 6, 2019, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. The petition for a writ of habeas corpus of Petitioner Jose Monserrato Martinez, Jr. (Docket No. 1) be **DENIED**.
2. This case be **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 27, 2019
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court